

**MAY 10 2011**

**Electricity Delivery and  
Energy Reliability**

May 6, 2011

U.S. Department of Energy  
Mr. Christopher Lawrence  
Office of Electricity Delivery and Energy Reliability  
1000 Independence Avenue, SW  
Room OE-20  
Washington, DC 20585

**RE: Special request for expedited processing of Export permit application by E-T Global Energy, LLC for the country Mexico.**

Dear Mr. Lawrence:

E-T Global energy respectfully requests a special dispensation for an expedited review of our application. We are under a very limited time horizon to begin delivery of power to the CFE. In fact, our Master Sale and Purchase agreement with the "Comision Federal de Electricidad" (CFE) was executed on February 10<sup>th</sup>, 2011, as evidenced in our attached exhibit. Our initial delivery commitments were to commence on April 1<sup>st</sup>, 2011. Our dilemma is serious and has put us in a possible default position, not only with the CFE but with our Natural Gas providers of which we have already committed our gas to net for power, specifically for the CFE commitments. The CFE has been very patient with us but nevertheless, we are hard pressed to begin delivery as soon as possible.

We would like to formally and respectfully submit our request for an Expidited Application Processing so that we may commence the delivery of power into the South Texas Ties listed in our original Export Permit application. We appreciate you time and consideration regarding this request.

Yours Sincerely,



Eduardo "Eddie" Padilla-  
E-T Global Energy, LLC  
President

CC. Anthony Como



US Department of Energy

MAY 10 2011

Electricity Delivery and  
Energy Reliability

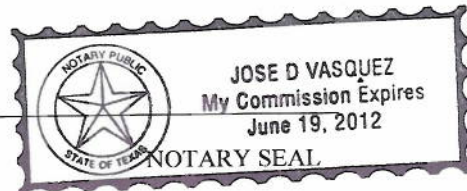
UNITED STATES OF AMERICA  
BEFORE THE  
DEPARTMENT OF ENERGY OFFICE OF ELECTRICITY DELIVERY AND ENERGY  
E-T GLOBAL ENERGY, LLC Docket No. EA-381 To Be Assigned CL

APPLICATION OF E-T GLOBAL ENERGY, LLC  
FOR AUTHORIZATION TO  
TRANSMIT ELECTRICITY TO MEXICO

I, Eduardo "Eddie" Padilla, having knowledge of matter set fourth in the above Application by E-T Global Energy, LLC for Authorization to Transmit Electric Energy to the country of Mexico, herby verify that the contents are tru and correct to the best of my knowledge and belief.

Eduardo "Eddie" Padilla-  
E-T Global Energy, LLC  
President

SWORN AND SUBSCRIBED BEFORE ME ON THIS THE 6th DAY OF APRIL OF THE  
YEAR 2011.

  
NOTARY SIGNATURE



US Department of Energy

MAY 10 2011

Electricity Delivery and  
Energy Reliability

May 6, 2011

U.S. Department of Energy  
Mr. Anthony Como  
Office of Electricity Delivery and Energy Reliability  
1000 Independence Avenue, SW  
Room OE-20  
Washington, DC 20585

**RE: Application of E-T Global Energy, LLC for Authorization to Export  
Electricity from the United States of America to Mexico, Docket No. EA-381.**

Dear Mr. Como:

Please find enclosed for filing, an original and two copies of an Application for Authorization to Export Electricity from the United States of America to Mexico and as required by 10 C.F.R. § 205.309, a check in the amount of \$500.00. A copy of this application is being served contemporaneously upon the Federal Regulatory Commission.

Also enclosed are two additional copies of this filing labeled "stamp and return;" please date and stamp these additional copies for return to our offices.

Sincerely,

Eduardo "Eddie" Padilla-  
E-T Global Energy, LLC  
President



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# **Contrato Maestro de Compra y Venta de Energía entre Comisión Federal de Electricidad y E-T Global Energy LLC.**

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El presente documento es un borrador que se encuentra sujeto a negociación. El presente no es una oferta o contrato válido para la compra y/o venta de cualquier producto, servicio, valor u otro objeto. Así mismo, el presente documento no obliga de manera alguna a cualquiera de las partes a celebrar cualquier contrato o a proceder con cualquier posible relación u operación. Cada una de las partes podrá dar por terminadas las discusiones y/o negociaciones relacionadas con este contrato en cualquier momento. Los términos y condiciones establecidos en este documento se encuentran sujetos a negociación, definición e incorporación en un contrato definitivo a celebrarse entre las partes.

**“EXHIBIT”**

EEI  
**CONTRATO MAESTRO DE COMPRA Y VENTA DE ENERGÍA**

**HOJA DE PORTADA**

El presente *Contrato Maestro de Compra y Venta de Energía* ("Contrato Maestro"), se celebra con efectos a partir de la siguiente fecha: **10 de Febrero de 2011** ("Fecha Efectiva"). El *Contrato Maestro*, junto con sus anexos, apéndices y cualesquiera suplementos a los mismos, la Tarifa de la Parte A, de haberla, y la Tarifa de la Parte B, de haberla, cualquier garantía designada, soporte crediticio o acuerdo de margen o acuerdo similar entre las Partes y todas las Transacciones (incluyendo cualesquiera confirmaciones aceptadas de conformidad con la Cláusula 2.3. del presente) serán en lo sucesivo denominadas el "Contrato." La Parte A (como se define más adelante) y la Parte B (como se define más adelante) se denominan en lo sucesivo, en lo individual, una "Parte", y conjuntamente, las "Partes." Las Partes de este *Contrato Maestro* son las siguientes:

<b>Parte A:</b> <b><u>COMISIÓN FEDERAL DE ELECTRICIDAD</u></b>	<b>Parte B:</b> <b><u>E-T GLOBAL ENERGY LLC</u></b>
<b>Todas las Notificaciones:</b>	<b>Todas las Notificaciones:</b>
Calle: Don Manuelito # 32 Col. Olivar de los Padres Del. Álvaro Obregón	Calle: 505 N Big Spring Ste. 101
Ciudad: México, C.P.: 01780 Distrito Federal	Ciudad: Midland, C.P. 79701 Texas
Atn: Jefe de la Unidad de Transacciones Comerciales	Atn: General Manager
Teléfono: (55) 56832379	Teléfono: 915-541-1114
Facsimil: (55) 57245812	Facsimil: 915-541-1117
# de identificación fiscal: CFE-370814Q10	# de identificación fiscal: US 26-3848577
<b>Facturas:</b>	<b>Facturas:</b>
Atn: Jefe de Área de Control	Atn: Invoices Department
Teléfono: (81) 8358 29 09	Teléfono: 915-541-1114
Facsimil: (81) 8359 53 54 Av. Estrellas 325 Norte, Col Country, Cd Monterrey Nuevo León, CP 64860	Facsimil: 915-541-1117
<b>Programación:</b>	<b>Programación:</b>
Atn: Jefe de la Unidad de Transacciones Comerciales	Atn: Scheduling Department
Teléfono: (55) 56832379	Teléfono: 915-541-1114
Facsimil: (55) 57245812	Facsimil: 915-541-1117
<b>Confirmación:</b>	<b>Confirmación:</b>

**"EXHIBIT"**

## ANEXO P: PRODUCTOS Y DEFINICIONES

### 23. Lo siguiente se adiciona al final del Anexo P:

“Si las Partes convienen en un nivel de servicio/producto definido por referencia a un contrato distinto (e.g. el Contrato WSPP, Guías ERCOT), para alguna Transacción en particular, entonces, salvo que las Partes expresamente manifiesten y convengan en que todos los términos y condiciones de dicho contrato sean aplicables, dicha referencia al nivel de servicio/producto de que se trate será según se define por dicho otro contrato, incluyendo en su caso, los requerimientos y lineamientos de confiabilidad regional, así como las excusas específicas para su cumplimiento, Fuerza Mayor, fuerza incontrolable, u otras excusas aplicables a dicho otro contrato, en la medida que sean inconsistentes con los términos del presente Contrato Maestro, pero todos los demás términos y condiciones del presente Contrato Maestro seguirán siendo aplicables.”

EN TESTIMONIO DE LO ANTERIOR, las Partes han hecho que este Contrato Maestro sea debidamente firmado en la fecha antes indicada.

COMISION FEDERAL DE ELECTRICIDAD

E-TGLOBAL

Por:

Nombre:

Cargo:



Eduardo Meraz Ateca

Subdirector del CENACE

Por:

Nombre:

Cargo:



Genaro Gómez Castañares

Senior Vice-President

**EXCLUSIÓN DE RESPONSABILIDAD:** Este Contrato Maestro de Compra y Venta de Energía fue preparado por un comité de representantes del Instituto Eléctrico Edison (*Edison Electric Institute*) (“EEI”) y compañías miembros de la Asociación Nacional de Comerciantes de Energía (*National Energy Marketers Association*) (“NEM”) para facilitar el intercambio comercial ordenado en, y el desarrollo, de mercados mayoristas de energía. Ni el EEI ni la NEM ni ninguno de sus miembros o cualquiera de sus agentes, representantes o abogados será responsable por su uso, o por cualesquiera daños derivados de ello. Al proporcionar este Contrato, EEI y NEM no ofrecen asesoría legal y se conmina a todos los usuarios a consultar con sus propios asesores legales para asegurar que sus objetivos comerciales se logren y que sus intereses legales estén adecuadamente protegido.

“EXHIBIT”



UNITED STATES OF AMERICA  
BEFORE THE

MAY 10 2011

DEPARTMENT OF ENERGY OFFICE OF ELECTRICITY DELIVERY AND ENERGY RELIABILITY  
E-T GLOBAL ENERGY, LLC Docket No. EA-381 To Be Assigned Electricity Delivery and Energy Reliability

## APPLICATION OF E-T GLOBAL ENERGY, LLC

## FOR AUTHORIZATION TO

## TRANSMIT ELECTRICITY TO MEXICO

E-T Global Energy, LLC ("Applicant") hereby files its application for blanket authority to transmit electricity from the United States to Mexico ("Application") for a term of five (5) years.

**I. DESCRIPTION OF APPLICANT**

The exact legal name of the applicant is E-T Global Energy, LLC ("E-T Global"). E-T Global was organized on August 12, 2008, under the laws of the State of Delaware and is currently authorized to do and does business in the states of Texas. E-T Global's principal and executive offices are located at 505 North Big Spring, Suite 101, Midland, TX 79701.

Applicant is a power marketer and specializes in the marketing, trading, and risk management, of Power; subject to the Federal Energy Regulatory Commission's ("FERC") jurisdiction. On January 19<sup>th</sup>, 2011, E-T Global was authorized by the Federal Energy Regulatory Commission to make wholesale sales of electric power in interstate commerce at market-based rates, Docket Nos. ER11-2039-000 and ER11-239-001. The power export(s) contemplated by the Application are foreign as opposed to interstate commerce. Applicant intends to operate as a wholesale power marketer, and will purchase and sell electricity and enter into financial and physical contracts for power, natural gas, and other energy products for its own account, as well as on behalf of the accounts of U.S. suppliers and Mexican purchasers, in the wholesale markets throughout the United States and Mexico. All Applicant power transactions will be at rates negotiated between Applicant and its counterparties.

Neither Applicant nor any of its affiliates currently controls, directly or through affiliates, any electric generation, transmission, or distribution facilities in the United States.

Neither Applicant nor any of its affiliates owns, operates or controls any electric generation assets. As part of its trading and investment activities in various industry sectors, Applicant periodically takes passive or other non-controlling positions in, or is a passive lender to, unaffiliated companies that directly or indirectly own electric generation or transmission, have franchised service territories or provide inputs to generation in the United States. Neither Applicant nor any of its affiliates holds any position that would give it control over the day-to-day operations of such unaffiliated energy-related companies. When Applicant makes investments with unaffiliated investment managers, Applicant does not direct the investment decisions of such investment managers. Neither the Applicant nor any of its affiliates holds a franchise or service territory for the transmission distribution or sale of electric power at this time.

## **II. COMMUNICATIONS**

All service and correspondence concerning this application should be sent to:

Eduardo "Eddie" Padilla  
Compliance Manager  
E-T Global Energy, LLC  
505 North Big Spring, Suite 101.  
Midland Texas, 79701  
Phone (915) 541-1114  
Fax (915) 541-1117  
[eddie@e-tglobal.com](mailto:eddie@e-tglobal.com)



### **III. JURISDICTION**

Applicant believes that the Department of Energy (the "Department") is the only government agency that has authority over this Application. FERC has jurisdiction over Applicant's wholesale electric power sales activities in the United States.

### **IV. DESCRIPTION OF TRANSMISSION FACILITIES**

Exhibit "C" to this Application provides the location and description of the existing transmission facilities through which the electric energy covered by this Application will be delivered into Mexico and includes the name of the facility owners, as well as the Presidential Permit numbers.

### **V. TECHNICAL DISCUSSION**

E-T Global is engaged in the marketing of wholesale electric power as a power marketer, and seeks authority to export electric power into Mexico over the existing cross-border facilities described in Exhibit "C.". E-T Global has no electric power supply system of its own on which its exports of power could have a reliability or stability impact. E-T Global's only supply obligations are those for which it has contracted. The electric power that will be exported pursuant to the requested export authorization, whether on a firm or interruptible basis, will be surplus to the system of the generator of such power, in

addition, since E-T Global does not own transmission facilities, E-T Global does not have the native load obligations of those entities holding franchised service territories. Thus, the exports proposed herein by E-T Global will not impair the sufficiency of power in the United States, nor will the transactions impede or tend to impede the regional coordination of electric utility planning or operation.

In its previous orders granting export authorizations to electric power marketers, the Department has indicated its reluctance to follow a rigid application of the information filing requirement contained in its regulations in the context of applications by power marketers. The Department has taken a flexible approach in determining the information necessary to evaluate the reliability for a specific market and has held that existing technical analysis support the present authorizations to export power through designated international border transmission. E-T Global respectfully requests that the Department continue to apply this standard during its review of the instant application and grant E-T Global the same benefits accorded to other electric power marketers. Additionally, E-T Global agrees to comply with all reliability criteria, standards, and guidelines of the North American Electric Reliability Council and Regional Councils, on such terms as expressed therein, and as such criteria, standards, and guides may be amended from time to time.

Applicant requests authority to transmit electric power to Mexico as a power marketer. As noted above, Applicant does not own or control any power supply system in the United States. Applicant will purchase the power to be exported from electric utilities, federal power marketing agencies, qualifying cogeneration, small power production facilities and exempt wholesale generators, as those terms are defined in the FPA, and other public utilities. Any power purchased by Applicant for export would be surplus to the needs of those entities *selling power to Applicant*. Thus, as required by FPA Section 202(e), *Applicant's exports will not impair the sufficiency of power in the United States, nor will the transactions impede or tend to impede the coordinated use of U.S. transmission facilities*. Furthermore, Applicant's power exports will not adversely impact the reliability or stability of any power supply system utilized for such exports.

## **VI. VERIFICATION**

The signed Verification of Eduardo "Eddie" Padilla, President of E-T Global Energy, LLC, is attached to this Application.

## **VII. PROCEDURES**

This Application is consistent with the North America Free Trade Agreement (1993) and United States energy policy which would foster a more efficient and competitive North American energy market.

E-T Global requests authority for export transactions through specified border facilities. The Department has granted export authority to similarly situated power marketers, and E-T Global agrees to abide by the general conditions set forth in the Department's previous orders authorizing power marketers to export power. *See, e.g., Enron Power Marketing, Inc.*, FE Docket No. EA-102, (Feb. 6, 1996).

Applicant proposes to abide by the general conditions consistent with the Department's previous grants of authorization to power marketers as set forth in its previous orders, as described herein. From time to time, Applicant will enter into agreements with third parties which involve the export of electric power from the United States to Mexico. Applicant's exports over the subject transmission facilities will not exceed the export limits for the facilities, or otherwise cause a violation of the terms and conditions set forth in the export authorizations applicable to each. When scheduling delivery of power, Applicant will comply with the applicable North American Reliability Council reliability criteria, standards, and guidelines. Within thirty days following the end of each calendar quarter, Applicant will provide the Department with reports indicating the gross amount of electricity delivered to Mexico, consideration received during each month, and the maximum hourly rate of transmission.



**VIII. EXHIBITS AND ATTACHMENTS**

The signed declaration of Eduardo “Eddie” Padilla, President and COO, is attached to this Application. In accordance with 10 C.F.R. § 205.303 (2009), the following exhibits are attached as described and made part of this Application:

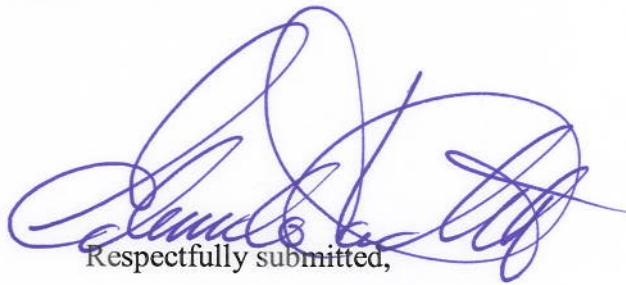
- Exhibit A (Not Applicable)
- Exhibit B Legal Opinion
- Exhibit C Transmission System Information  
(submitted in lieu of maps)
- Exhibit D E-T Global Energy, LLC Form
- Exhibit E Articles of Amendment

Pursuant to 10 C.F.R. § 205.309 (2009), a copy of this Application is being provided to:

Federal Energy Regulatory Commission  
Office of the Secretary  
888 First St., N.E.  
Washington, D.C. 20426

## IX. CONCLUSION

In consideration of the foregoing, Applicant requests approval of this Application for authorization to export electricity to Mexico for a term of five (5) years, effective from the date of the order granting this Application, on substantially the same terms and conditions as applied to similarly-situated electric power marketers.



Respectfully submitted,

Eduardo "Eddie" Padilla  
President and COO  
E-T Global Energy, LLC  
505 North Big Spring, Suite 101.  
Midland Texas, 79701

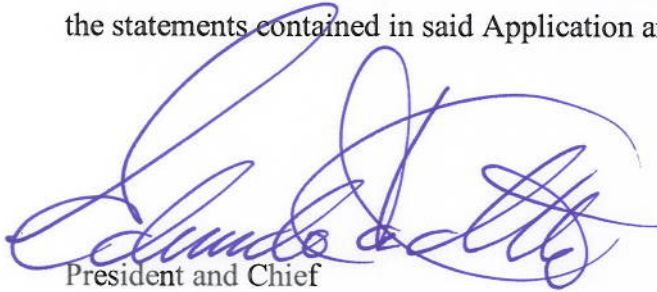
Phone (915) 541-1114

Fax(915) 541-1117

Dated: April 7, 2011

## **DECLARATION**

I, Eduardo "Eddie" Padilla, declare under penalty of perjury that I am duly authorized officer of E-T Global Energy, LLC and verify the foregoing Application on behalf of E-T Global Energy, LLC, and that to the best of my knowledge, information and belief, all of the statements contained in said Application are true and correct.



President and Chief  
Operations Officer

E-T Global Energy,  
LLC

Dated April 7th, 2011



**EXHIBIT A**  
Transmission Agreements

(Not Applicable)

## **EXHIBIT B**

**Please note that Mr. Smith is executing this legal Opinion and sending two originals  
and 3 copies from his office direct your office.**

LAW OFFICE  
**DAVIS, GERALD & CREMER**  
A PROFESSIONAL CORPORATION  
400 W. ILLINOIS, SUITE 1400  
P.O. BOX 2796  
MIDLAND, TEXAS 79702-2796

DAVID H. SMITH

TELEPHONE (432) 687-0011  
FAX (432) 687-1735

May \_\_, 2011

The Department of Energy  
Office of Electricity Delivery and Energy Reliability  
OE-20, Room 6H-034  
1000 Independence Avenue, S.W.  
Washington, DC 20585

**Re: E-T Global Energy, LLC**

To Whom It May Concern:

This opinion is furnished to you at the request of E-T Global Energy, LLC (the "Company") in connection with the Company's application for Authorization to Transmit Electric Energy to Mexico, as prescribed by 10 C.F.R. § 205.303(b)(2011). This letter is solely for your benefit in connection with the Company's aforementioned application, and no other person or entity shall be entitled to rely upon this letter.

We have examined the Limited Liability Company Agreement of E-T Global Energy, LLC, the relevant provisions of the Delaware Limited Liability Company Act, records at the Delaware Secretary of State, Texas Secretary of State and Texas Comptroller, and such other documents as we have deemed necessary or appropriate to render this opinion. In such examination, we have assumed the genuineness of all signatures, the authenticity of all documents submitted to us as originals, the conformity to originals of documents submitted to us as copies, and the authenticity of such originals of documents.

The Company is in good standing in both Texas and Delaware, and is properly authorized to do business. The members of the Company have approved the application.



May 6, 2011  
Page 2

Based on the foregoing, we are of the opinion that the Company has the corporate power and authority to export electricity from the United States to Mexico. Further, we are of the opinion that, once the Company receives approval of its export authorization from the Department of Energy, the Company will have received all necessary federal approvals to sell to Mexico.

Very truly yours,

David H. Smith

DHS/tlc  
enclosures

**EXHIBIT C**  
Transmission System Information

April 2011

TRANSMISSION LINES AT THE U.S. BORDER WITH MEXICO  
APPROPRIATE FOR OPEN ACCESS TRANSMISSION BY THIRD PARTIES

<u>Present Owner</u>	<u>Location</u>	<u>Vol tage</u>	<u>Pres. Permit No</u> <u>6</u>
AEP Texas Central Company	Laredo. TX	138•kV	PP•317
		230•kV	PP•317
	Brownsville, TX	138-kV	PP-94
		69-kV	
	Eagle Pass. TX	138-kV	PP-219
Comision Federal de Electricidad	Falcon Dam, TX	138-kV	None
El Paso Electric Company	Diablo, NM	115-kV	PP-92
	Ascarate, TX	115-kV	PP-48
Generadora del Desierto-WAPA	San Luis, AZ	230•kV	PP-304
San Diego Gas & Electric	Miguel, CA	230•kV	PP-68
	Imperial Valley, CA	230•kV	PP-79
Sharyland Utilities, Inc.	McAllen, TX	138-kV	PP-285

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<sup>6</sup> 7 These Presidential permit numbers refer to the generic DOE permit number and are intended to include any subsequent amendments to the permit authorizing the facility.

**EXHIBIT D**

Power of Attorney with Agent

Residing Within *the* United States

(Not Applicable)

**EXHIBIT E**

Statement of any Corporate Relationship or Existing Contract which in Any Way Relates  
to the Control or Fixing of  
Electric Power

(Not Applicable)



**EXHIBIT F**

Operating Procedures regarding Available Capacity and Energy

(Not Applicable)

LAW OFFICE  
**DAVIS, GERALD & CREMER**  
A PROFESSIONAL CORPORATION  
400 W. ILLINOIS, SUITE 1400  
P.O. BOX 2796  
MIDLAND, TEXAS 79702-2796

DAVID H. SMITH

TELEPHONE (432) 687-0011  
FAX (432) 687-1735

May 9, 2011

The Department of Energy  
Office of Electricity Delivery and Energy Reliability  
OE-20, Room 6H-034  
1000 Independence Avenue, S.W.  
Washington, DC 20585

**Re: E-T Global Energy, LLC**

To Whom It May Concern:

This opinion is furnished to you at the request of E-T Global Energy, LLC (the "Company") in connection with the Company's Application for Authorization to Transmit Electric Energy to Mexico, as prescribed by 10 C.F.R. § 205.303(b)(2011). This letter is solely for your benefit in connection with the Company's aforementioned application, and no other person or entity shall be entitled to rely upon this letter.

We have examined the Limited Liability Company Agreement of E-T Global Energy, LLC, the relevant provisions of the Delaware Limited Liability Company Act, records at the Delaware Secretary of State, Texas Secretary of State and Texas Comptroller, and such other documents as we have deemed necessary or appropriate to render this opinion. In such examination, we have assumed the genuineness of all signatures, the authenticity of all documents submitted to us as originals, the conformity to originals of documents submitted to us as copies, and the authenticity of such originals of documents.

The Company is in good standing in both Texas and Delaware, and is properly authorized to do business. Mr. Padilla is an authorized officer of the Company. He would be authorized to submit an application of the type at issue.

Based on the foregoing, we are of the opinion that the Company has the corporate power and authority to export electricity from the United States to Mexico. Further, we are of the opinion that, once the Company receives approval of its export authorization from the Department of Energy, the Company will have received all necessary federal approvals to sell to Mexico.

Very truly yours,

**DAVIS, GERALD & CREMER, PC**

By: 

David H. Smith

DHS/lcw  
Enclosures